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> *Attorneys for Defendant*
> *and Counterclaimant Michael D. Calmese*

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

ADIDAS AMERICA, INC., a Delaware corporation,
 	
        Plaintiff and
        Counterclaim Defendant,
 	
v.
 	
MICHAEL D. CALMESE, a resident of Arizona,
 	
        Defendant and
        Counterclaimant.
	Case No. CV08-0091 ST
	
	EX PARTE MOTION TO WITHDRAW AS COUNSEL OF RECORD

On Motion of Anthony McNamer, who respectfully represents:

1.   That he is counsel for Defendant and Counterclaimant, Michael Calmese, in the above-entitled and numbered action.

2.   That Defendant consents to this withdrawal, and has informed Mr. McNamer that he has engaged substitute counsel who will be filing an appearance soon.   Further, Defendant sent an email to Plaintiff's counsel, and this Court, stating that Mr. McNamer is being replaced as

counsel. Finally, Defendant has instructed Mr. McNamer to immediately return all of his files by July 7, 2009.

3.   That Plaintiff does not object to this motion.

4.   That Defendant has been notified of all upcoming deadlines, and has been given a copy of the Court's July 2, 2009 Findings and Recommendations in relation to Plaintiff's Motion for Summary Judgment.

Based on the forgoing, Anthony McNamer, on behalf of himself and each attorney at McNamer & Company P.C., moves to withdraw as counsel.

                                        /s/Anthony McNamer
                                        Anthony McNamer

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon counsel of record for all parties to this proceeding via the Court's electronic filing system on all parties registered to receive notice via that system on July 6, 2009.

<u>/s/ Anthony McNamer</u>
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